

PORT & RESOURCE RECOVERY DEPARTMENT

Brown County

**APPROVED**

12/08/14

2561 SOUTH BROADWAY  
GREEN BAY, WI 54304

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DEAN R. HAEN

DIRECTOR

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## PROCEEDINGS OF THE BROWN COUNTY HARBOR COMMISSION

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A meeting was held on **Monday, October 13th, 2014**  
Brown County Resource Recovery Facility, 2561 S Broadway, Green Bay, WI

1) The meeting was officially called to order by Craig Dickman at 11:38 am.

2) Roll Call:

Present: President Craig Dickman  
Commissioner Bryan Hyska  
Commissioner Hank Wallace  
Commissioner John Hanitz  
Commissioner Ron Antonneau (11:39am)

Also Present: Dean Haen, Brown County P&RR  
Mark Walter, Brown County P&RR  
Mike Vizer, St. Mary's Cement  
Jim Haese, LaFarge

Excused: Vice-President Tom Klimek  
Commissioner Bernie Erickson

3) Approval/Modification – Meeting Agenda

**A motion to approve the agenda was made by Bryan Hyska and seconded by John Hanitz.**  
Unanimously approved.

4) Approval/Modification – September 8, 2014 Meeting Minutes

**A motion to approve the minutes of September 8, 2014 was made by Hank Wallace and seconded by Bryan Hyska.** Unanimously approved.

5) Renard Island End-Use Infrastructure Development Matrix – Request for Approval

Foth Infrastructure & Environment, LLC has submitted an analysis looking at the Renard Island end-use infrastructure development types. Foth was examined and compared structural category types. Some of the categories included buildings and structures, transportation services, utility services and recreational services. Past and existing permits conditions were evaluated. The analysis will be used by staff to aid prospective users (leasees) in understanding the best types of structures to consider when evaluating potential recreational opportunities for the island.

**A motion was made to approve and place the Renard Island End-Use Infrastructure Development Matrix on file was made by Ron Antonneau and seconded by John Hanitz. Unanimously approved.**

6) Fox River Environmental Dredging Project – Request for Action

The Fox River Clean-up project has entered the Port area and coordination and cooperation between all parties will be critical to the success of the project and uninterrupted operations of the Port between now and 2017. The Fox River Environmental Dredging Project has entered the Port area causing some conflicts that have been experienced by RGL Holdings, Georgia-Pacific and St. Mary's Cement. The project is being led by the Fox River LLC group, which NCR is the primary responsible partner. Tetra Tech is working on behalf of NCR to fulfill the clean-up obligations. The project is trying to do things very cost effectively such as capping instead of removing the PCB's. In 2009, there was no capping in the record of decision (ROD) for the Green Bay Harbor area. Recent maps indicate the intent to cap many locations outside of the navigational channel in the Green Bay Harbor. Last month, Haen sat down with the Green Bay Area Chamber of Commerce and their Policy and Advisory Group which show great interest in this and willingness to lead or assist in educating Green Bay Harbor property owners. Haen also sat down with the DNR. It is believed, property owners, industry and environmentalists desire to have the PCB removed rather than capped. A suggestion was made to help coordinate an informational meeting with a representative from either the EPA or DNR that knows all of the facts and all the affected parties who have land ownership so they know their property rights. The meeting is planned to be hosted by the Port and Chamber to educate property owners of their rights and strategize how property owners can best interact with one another and with the project. Property owners need to take a long-term view of their current and potential future uses. Once a cap is installed, any future infrastructure (dock, dredging, etc.) costs, permits, etc. is impacted.

**A motion was made to suspend the rules to hear from interested parties to speak on the Fox River Environmental Dredging Project was made by Hank Wallace and seconded by Ron Antonneau. Unanimously approved.**

Mike Vizer, St. Mary's Cement, commented that if an informational meeting was going to be held, that it is done as soon as possible because Tetra Tech is in communication and setting meetings up with all of the Port Operators trying to get information. Jim Haese, LaFarge, mentioned that they have to move at their expense the SS *Crapo*. Haen understands the project is responsible for cleaning up the river and property owners should not be financially responsible or obligated to

incur any expense. Full disclosure of information and responsibility may not be clearly communicated.

**A motion was made to return to regular session by Ron Antonneau and seconded by Hank Wallace. Unanimously approved.**

**An action to facilitate a meeting in November by Harbor Commission staff and have a letter sent to Terminal Operators regarding the Fox River Environmental Dredging Project was made by Hank Wallace and seconded by Ron Antonneau.**

7) Cell Tower Sale Offer – Update

Over the summer, American Tower was interested in paying for a permanent easement of the cell tower. Mark Walter, Brown County Port & Resource Recovery, had tried reaching out to the company several times to learn more about their offer. Within the last month, another letter came in the mail presenting a conditional offer to pay \$30,000 and extend the existing term. Still have no response from American Tower.

**A motion was to receive the Cell Tower Sale Offer and place on file was made by Ron Antonneau and seconded by Hank Wallace.**

8) Strategic Planning Subcommittee – Update

Two roundtable meetings had taken place. One on September 8<sup>th</sup> and another on September 16<sup>th</sup>. These meetings were for the terminal operators to engage and provide input on what issues or topics should be included into the next Strategic Plan for the Port of Green Bay. Three common themes from the conversations included; backhaul solutions, channel and dockside depth, and a lot of discussion about port impacts from the downtown revitalization.

9) Cat Island - Update

The Corps has continued moving forward with the filling of the first island, McKloskey Island. The Corps plans to place about 450,000cy of material in the island.

The Cat Island Advisory Committee had lengthy discussion regarding public access issues with law enforcement. There are now two gates installed and signs along the wave barrier and each end of the legs stating "Warning, Danger. Keep Off". Effective October 2014, a public access policy was put into effect stating that Cat Island is neither a recreational facility nor a public access facility. There will not be an option for tours.

The Corps of Engineers had originally told the department earlier in October that they would not be re-doing Lineville Road this year because they only got one bid. However, their Attorneys told them they have one legitimate bid and to go ahead and award to Bobbies Marine. Once the road is finished the department needs Corps invoice for work performed as part of the 10% cash contribution. Upon receipt, staff will submit the HAP Grant reimbursement request and close out the project.

10) Director's Report – Update

Fish advisory signs are coming free from the DNR and will be posted on the perimeter of Renard Island. The anchors were installed for the fish cribs in September.

American Great Lakes Ports Association is doing a strategic planning effort, Haen will be participating in the exercise and believes there will be some secondary benefits for the exercise with our strategic planning effort.

11) Audit of Bills – Request for Approval

**A motion to approve the Bills was made by Bryan Hyska and seconded by Hank Wallace.** Unanimously approved.

12) Tonnage Report – Request for Approval

Ship arrivals are up and tonnage is up 12%.

**A motion to approve the Tonnage Report was made by Ron Antonneau and seconded by Hank Wallace.** Unanimously approved.

13) Such Other Matters as Authorized by Law

No other matters as authorized by Law.

14) Closed Session for easement relating to Renard Island

*Pursuant to Wis. Stat. § 19.85(1)(e), any meeting of a governmental body may be convened in closed session for purposes of deliberating or negotiating the purchasing of public properties, the investing of public funds, or the conducting of other specified public business, whenever competitive or bargaining reasons require closed session.*

**A motion to go into closed session was made by John Hanitz and seconded by Bryan Hyska.** A roll call vote followed with the following Board members voting “aye”: Craig Dickman, Bryan Hyska, Hank Wallace, John Hanitz and Ron Antonneau. There were no “nay” votes; the motion was passed. The purpose of the closed session was for easement relating to Renard Island.

**A motion was made by John Hanitz and seconded by Ron Antonneau to return to open session.** A roll call followed with the following Board members voting “aye”: Craig Dickman, Bryan Hyska, Hank Wallace, John Hanitz and Ron Antonneau. There were no “nay” votes; the motion was passed.

No action was taken in closed session. The Board continued with agenda items in open session.

15) Adjourn

**A motion to adjourn was made by Ron Antonneau and seconded by John Hanitz.**

Unanimously approved. Meeting adjourned at 1:32 pm.

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Craig Dickman, President  
Harbor Commission

Dean R. Haen, Director  
Port & Resource Recovery Department